Historical Summary

OPERATING BUDGET	FY 2000	FY 2001	FY 2002	FY 2003	FY 2003
	Actual	Actual	Approp	Request	Gov Rec
BY PROGRAM					
Supreme Court	4,270,700	4,257,600	4,399,400	4,497,700	4,375,800
Law Library	658,600	667,300	676,600	689,300	678,300
District Courts	9,237,200	8,803,200	10,846,500	10,987,600	10,630,200
Magistrates Division	8,763,600	8,946,400	10,637,400	10,882,600	10,284,700
Judicial Council	114,600	90,400	123,800	125,900	123,800
Court of Appeals	1,026,900	1,055,900	1,108,200	1,124,800	1,112,800
Guardian Ad Litem Account	451,200	474,500	457,900	487,600	457,900
Snake River Basin Adjudication	730,400	727,000	842,000	876,900	821,300
Total:	25,253,200	25,022,300	29,091,800	29,672,400	28,484,800
BY FUND CATEGORY					
General	22,478,200	22,791,300	26,233,400	27,090,700	25,946,400
Dedicated	2,177,400	1,499,000	2,439,600	2,155,800	2,119,600
Federal	597,600	732,000	418,800	425,900	418,800
Total:	25,253,200	25,022,300	29,091,800	29,672,400	28,484,800
Percent Change:		(0.9%)	16.3%	2.0%	(2.1%)
BY OBJECT OF EXPENDITURE					
Personnel Costs	19,591,800	20,058,500	0	22,717,100	22,374,200
Operating Expenditures	3,959,000	3,776,600	0	5,409,400	4,795,100
Capital Outlay	1,168,900	448,100	0	944,600	747,600
Trustee/Benefit	533,500	739,100	0	601,300	567,900
Lump Sum	0	0	29,091,800	0	0
Total:	25,253,200	25,022,300	29,091,800	29,672,400	28,484,800
Full-Time Positions (FTP)	245.00	245.00	247.00	250.00	247.00

Department Description

The Judicial Branch is made up of the following programs:

- 1) The Supreme Court of Idaho is the state's court of last resort. The Court hears appeals from final decisions of the District Court, as well as from orders of the PUC and the Industrial Commission.
- 2) The Law Library is the state repository for official publications received from other states and federal government.
- 3) The District Courts have original jurisdiction over all civil and criminal cases, and appeals from the Magistrate Division, state agencies and boards.
- 4) The Magistrate Division has jurisdiction over cases involving domestic violence, domestic relations, juvenile cases, and civil cases under \$10,000.
- 5) The Idaho Judicial Council is empowered by statute to nominate persons to the Governor for appointment to vacancies on the Supreme Court, Court of Appeals, and District Courts and make recommendations to the Supreme Court for the removal, discipline and retirement of judicial officers.
- 6) The Court of Appeals provides another court to share the appellate caseload with the Idaho Supreme Court. The court has jurisdiction to hear and decide all cases assigned to it by the Supreme Court; except cases invoking the Supreme Court's original jurisdiction, appeals from the Industrial Commission, PUC, and death penalty cases.
- 7) Guardian Ad Litem grants are awarded to Court Appointed Special Advocate (CASA) programs to recruit, train and coordinate volunteers to act as court appointed special advocates for abused, neglected or abandoned children under the Child Protective Act.
- 8) The Snake River Basin Adjudication is a court process established to inventory all surface and ground water rights in the Snake River drainage.

Comparative Summary

	AGENCY REQUEST G			GOVERNOR'S REC		
Decision Unit	General	Total	General	Total		
FY 2002 Original Appropriation	26,233,400	29,091,800	26,233,400	29,091,800		
Holdback/Neg. Supp	(371,200)	(371,200)	(371,200)	(371,200)		
FY 2002 Total Appropriation	25,862,200	28,720,600	25,862,200	28,720,600		
Expenditure Adjustments	0	0	0	0		
FY 2002 Estimated Expenditures	25,862,200	28,720,600	25,862,200	28,720,600		
Removal of One-Time Expenditures	(104,300)	(424,300)	(104,300)	(424,300)		
Restore Executive Holdback	371,200	371,200	371,200	371,200		
Permanent Base Reduction	0	0	(371,200)	(371,200)		
FY 2003 Base	26,129,100	28,667,500	25,757,900	28,296,300		
Personnel Cost Rollups	123,100	123,100	123,100	123,100		
Inflationary Adjustments	78,100	120,200	0	0		
Replacement Items	102,500	102,500	0	0		
Nonstandard Adjustments	66,400	66,400	(500)	(500)		
Annualizations	65,900	65,900	65,900	65,900		
Change in Employee Compensation	65,300	66,500	0	0		
FY 2003 Program Maintenance	26,630,400	29,212,100	25,946,400	28,484,800		
1. Cost of 1% Judicial Salary Increase	139,900	139,900	0	0		
2. Regional Court Interpreter Positions	287,300	287,300	0	0		
3. Guardian Ad Litem Increase	14,100	14,100	0	0		
4. Document-Imaging Equipment	19,000	19,000	0	0		
Request for Lump Sum Appropriation	0	0	0	0		
FY 2003 Total	27,090,700	29,672,400	25,946,400	28,484,800		
Change from Original Appropriation	857,300	580,600	(287,000)	(607,000)		
% Change from Original Appropriation	3.3%	2.0%	(1.1%)	(2.1%)		
Change in FTP's		3.00		0.00		

Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
FY 2002 Original Appropriation					
	247.00	26,233,400	2,439,600	418,800	29,091,800

Holdback/Neg. Supp

The Executive Holdback was taken in operating expenditures throughout the Judicial appropriation. The impacts of the reductions are as follows:

- 1) Supreme Court operations by \$43,700 by cutting back the terms of the Supreme Court, canceling the annual Judicial Conference, and canceling up to 50% of committee meetings dedicated to court improvement;
- 2) Drug Courts was reduced by \$114,000;
- 3) Family Courts by \$43,200 and the cancellation of the Children/Family Institute scheduled in June 2002;
- 4) Law Library operations by \$15,000;
- 5) District Court operations by \$62,800 by scaling back the use of senior judges and limiting out-of-state judicial education program;
- 6) Magistrate Division operations by \$59,300 with cutbacks similar to the District Court;

0.00

7) Judicial Council by \$4,000;

Agency Request

8) Court of Appeals by \$16,000 by cutting back the terms of court and scaling back the use of senior judges;

(371,200)

0

0

(371,200)

- 9) Guardian Ad Litem grant distributions by \$9,200;
- 10) Snake River Basin Adjudication by \$4,000.

Agency Nequest	0.00	(371,200)	U	U	(371,200)
Governor's Recommendation	0.00	(371,200)	0	0	(371,200)
FY 2002 Total Appropriation					
Agency Request	247.00	25,862,200	2,439,600	418,800	28,720,600
Governor's Recommendation	247.00	25,862,200	2,439,600	418,800	28,720,600
Expenditure Adjustments					
Lump sum appropriation adjustme	ents that net	t to zero.			
Agency Request	0.00	0	0	0	0
Governor's Recommendation	0.00	0	0	0	0
FY 2002 Estimated Expenditure	es				
Agency Request	247.00	25,862,200	2,439,600	418,800	28,720,600
Governor's Recommendation	247.00	25,862,200	2,439,600	418,800	28,720,600
Removal of One-Time Expenditu	res				
Remove funding provided for one	e-time items.				
Agency Request	0.00	(104,300)	(320,000)	0	(424,300)
Governor's Recommendation	0.00	(104,300)	(320,000)	0	(424,300)
Restore Executive Holdback					
Agency Request	0.00	371,200	0	0	371,200
Governor's Recommendation	0.00	371,200	0	0	371,200
Permanent Base Reduction					
Agency Request	0.00	0	0	0	0

The Governor is advising the Legislature that a base reduction of \$371,200 in the General Fund, along with zero funding for inflation, replacement items, nonstandard adjustments, CEC, and all enhancements will be necessary in FY 2003 in order for the Executive Budget to be balanced. This totals \$1,144,300 less than the original budget submission. In accordance with §67-3506, Idaho Code, GOVERNOR TO TRANSMIT BUDGET DOCUMENTS. - The requests of the legislative and judicial departments shall be transmitted as submitted by those departments.

Governor's Recommendation 0.00 (371,200) 0 0 (371,200)

Judiciai Branch							
Budget by Decision Unit	FTP	General	Dedicated	Federal	Total		
FY 2003 Base							
Agency Request	247.00	26,129,100	2,119,600	418,800	28,667,500		
Governor's Recommendation	247.00	25,757,900	2,119,600	418,800	28,296,300		
Personnel Cost Rollups							
Includes the employer portion of e	estimated ch	nanges in emplo	yee benefit costs.				
Agency Request	0.00	123,100	0	0	123,100		
Governor's Recommendation	0.00	123,100	0	0	123,100		
Inflationary Adjustments							
Includes a general inflationary inc	rease of 1.7		expenditures and t	rustee/benefit p	ayments.		
Agency Request	0.00	78,100	35,000	7,100	120,200		
The Governor recommends no in	crease for ir	nflation.					
Governor's Recommendation	0.00	0	0	0	0		
Replacement Items							
Replacement Items requested inc \$19,500 for 15 printers, \$16,000 f storage, and \$5,000 to refinish fur Library; and \$1,000 for supplies to is requested for the Snake River I computer equipment for clerks, \$ Agency Request	or an addition rniture; \$2,5 o repair the Basin Adjud	onal network ser 00 in operating op phone system us ication Program	ever, \$8,500 for she expenditures to refered by the Court of which includes \$1	elving and folde finish items for t of Appeals. A to 2,000 for a cop	ers for record the Law tal of \$27,500 ier, \$5,500 for		
Not recommended by the Govern		,,,,,,	-	_	,,,,,,		
Governor's Recommendation	0.00	0	0	0	0		
Nonstandard Adjustments Nonstandard Adjustments include a request of \$1,600 for State Treasurer fees and a reduction of \$2,100 for State Controller fees. The state mileage rate reimbursement has increased from \$0.325 to \$0.345 per mile, and the per diem rate increased from \$20 in-state to \$30 per day. The agency is requesting \$18,600 for							
District Courts, and \$48,300 for the	_				00.400		
Agency Request	0.00	66,400	0	0	66,400		
The fee adjustments for the State				mended.	(500)		
Governor's Recommendation	0.00	(500)	0	0	(500)		
Annualizations Funding is requested for the incre the Fifty-Fourth Legislature, to mo \$5,000. This is the final year of the Agency Request Governor's Recommendation	ove the pay	differential betwe	een magistrates a	nd district judge			
		00,000			00,000		
Change in Employee Compensat Reflects the cost of a 1% salary in judiciary.		permanent and (group positions ex	cluding membe	rs of the		
Agency Request	0.00	65,300	1,200	0	66,500		
The Governor recommends state	employee d	•	•	le from salarv s			
Governor's Recommendation	0.00	0	0	0	0		
FY 2003 Program Maintenance							
Agency Request	247.00	26,630,400	2,155,800	425,900	29,212,100		
Governor's Recommendation	247.00	25,946,400	2,119,600	418,800	28,484,800		

Cost of 1% Judicial Salary Increase Entire Judiciary This request represents the funding required for a 1% pay increase for the judiciary mirroring what all state agencies submit to calculate Change in Employee Compensation (CEC).						
This request represents the funding required for a 1% pay increase for the judiciary mirroring what all state agencies submit to calculate Change in Employee Compensation (CEC). Agency Request 0.00 139,900 0 0 139,900 In accordance with \$67-3506, Idaho Code, GOVERNOR TO TRANSMIT BUDGET DOCUMENTS The requests of the legislative and judicial departments shall be transmitted as submitted by those departments. Governor's Recommendation 0.00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
agencies submit to calculate Change in Employee Compensation (CEC). Agency Request 0.00 139,900 0 0 139,900 In accordance with \$67-3506, Idaho Code, GOVERNOR TO TRANSMIT BUDGET DOCUMENTS The requests of the legislative and judicial departments shall be transmitted as submitted by those departments. Governor's Recommendation 0.00 0 0 0 0 0 0 2. Regional Court Interpreter Positions The Court is requesting funding to hire three regional court interpreters and accompanying interpreting equipment to reduce delays in court proceedings which occur when a qualified court interpreter is not available for non-English speaking defendants. The one-time expenditure of \$79,800 will permit the regional interpreter to support proceedings from a remote county, thus furthering the timely and cost effective resolution of many court proceedings. The money will be used to buy and install telephonic equipment in 10 counties. The three regional interpreters will be placed in the 3rd, 5th, and 7th Judicial Districts, with the interpreter in the 5th District assuming responsibilities for program management, planning and coordinating training programs, and overseeing the administration of exams to certify court interpreters. Requested funds are \$136,500 for personnel, \$71,000 for ongoing operating expenditures, and \$79,800 for one-time capital items. Agency Request 3.00 287,300 0 0 287,300 for one-time capital items. Agency Request 3.00 287,300 0 0 287,300 for one-time capital items. Agency Request 3.00 287,300 0 0 0 287,300 for one-time capital items. Agency Request 3.14,100 increase to the funding for the Guardian Ad Litem Account The FY 2003 Base amount is \$457,900 from the General Fund. In addition, \$15,600 was requested in the Inflationary Adjustments decision unit. Agency Request 0.00 14,100 increase to the funding for the Guardian Ad Litem Program. The FY 2003 Base amount is \$457,900 from the General Fund. In addition, \$15,600 was requested in the Inflationary Adjustments shall be transmitted as submitted by those de	1. Cost of 1% Judicial Salary Incre	ease			Er	tire Judiciary
Agency Request 0.00 139,900 0 0 139,900 In accordance with \$67-3506, Idaho Code, GOVERNOR TO TRANSMIT BUDGET DOCUMENTS: The requests of the legislative and judicial departments shall be transmitted as submitted by those departments. Governor's Recommendation 0.00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0					ciary mirroring w	hat all state
requests of the legislative and judicial departments shall be transmitted as submitted by those departments. Governor's Recommendation 0.00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	•	•	•	, ,	0	139,900
2. Regional Court Interpreter Positions The Court is requesting funding to hire three regional court interpreters and accompanying interpretering equipment to reduce delays in court proceedings which occur when a qualified court interpreter is not available for non-English speaking defendants. The one-time expenditure of \$79,800 will permit the regional interpreter to support proceedings from a remote county, thus furthering the timely and cost effective resolution of many court proceedings. The money will be used to buy and install telephonic equipment in 19 counties. The three regional interpreters will be placed in the 3rd, 5th, and 7th Judicial Districts, with the interpreter in the 5th District assuming responsibilities for program management, planning and coordinating training programs, and overseeing the administration of exams to certify court interpreters. Requested funds are \$136,500 for personnel, \$71,000 for ongoing operating expenditures, and \$79,800 for one-time capital items. Agency Request 3.00 287,300 0 0 0 287,300 In accordance with \$67-3506, Idaho Code, GOVERNOR TO TRANSMIT BUDGET DOCUMENTS The requests of the legislative and judicial departments shall be transmitted as submitted by those departments. Governor's Recommendation 0.00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	In accordance with §67-3506, Idal	ho Code, Go	OVERNOR TO	TRANSMIT BUDG	GET DOCUMEN	TS The
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In accordance with §67-3506, Idaho Code, GOVERNOR TO TRANSMIT BUDGET DOCUMENTS The requests of the legislative and judicial departments shall be transmitted as submitted by those departments. Governor's Recommendation 0.00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	The CASA Program has requested The FY 2003 Base amount is \$45°	7,900 from t			uardian Ad Liten	n Program.
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Agency Request 0.00 19,000 0 0 19,000 In accordance with §67-3506, Idaho Code, GOVERNOR TO TRANSMIT BUDGET DOCUMENTS The requests of the legislative and judicial departments shall be transmitted as submitted by those departments. Governor's Recommendation 0.00 0 0 0 0 0 Request for Lump Sum Appropriation The Judiciary requests a lump sum appropriation. Agency Request 0.00 0 0 0 0 0 0 Governor's Recommendation 0.00 0 0 0 0 0 FY 2003 Total Agency Request 250.00 27,090,700 2,155,800 425,900 29,672,400	4. Document-Imaging Equipment			Sn	ake River Basin	Adjudication
In accordance with §67-3506, Idaho Code, GOVERNOR TO TRANSMIT BUDGET DOCUMENTS The requests of the legislative and judicial departments shall be transmitted as submitted by those departments. Governor's Recommendation 0.00 0 0 0 0 0 Request for Lump Sum Appropriation The Judiciary requests a lump sum appropriation. Agency Request 0.00 0 0 0 0 0 0 Governor's Recommendation 0.00 0 0 0 0 0 FY 2003 Total Agency Request 250.00 27,090,700 2,155,800 425,900 29,672,400	One-time funding is requested to p	ourchase do	cument-imagin	g equipment.		
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The Judiciary requests a lump sum appropriation. Agency Request 0.00 0 0 0 0 0 Governor's Recommendation 0.00 0 0 0 0 FY 2003 Total Agency Request 250.00 27,090,700 2,155,800 425,900 29,672,400	Governor's Recommendation	0.00	0	0	0	0
Agency Request 0.00 0 0 0 0 0 Governor's Recommendation 0.00 0 0 0 0 0 FY 2003 Total Agency Request 250.00 27,090,700 2,155,800 425,900 29,672,400	Request for Lump Sum Appropria	ition				All Programs
Governor's Recommendation 0.00 0 0 0 0 FY 2003 Total Agency Request 250.00 27,090,700 2,155,800 425,900 29,672,400			_	_	_	_
FY 2003 Total Agency Request 250.00 27,090,700 2,155,800 425,900 29,672,400	• • •			_	_	
Agency Request 250.00 27,090,700 2,155,800 425,900 29,672,400	Governor's Recommendation	0.00	0	0	0	0
Governor's Recommendation 247.00 25,946,400 2,119,600 418,800 28,484,800						
	Governor's Recommendation	247.00	25,946,400	2,119,600	418,800	28,484,800

Judicial Branch

Analyst: Holland-Smith

Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
Agency Request					
Change from Original App	3.00	857,300	(283,800)	7,100	580,600
% Change from Original App	1.2%	3.3%	(11.6%)	1.7%	2.0%
Governor's Recommendation					
Change from Original App	0.00	(287,000)	(320,000)	0	(607,000)
% Change from Original App	0.0%	(1.1%)	(13.1%)	0.0%	(2.1%)

Judicial Branch Issues & Information

IDAHO'S INTEGRATED COURT STRUCTURE

SUPREME COURT

Chief Justice and four Associate Justices. Staggered terms of 6 years after non-partisan, at-large election.

Original jurisdiction in:

- (1) Claims against State (advisory opinions)
- (2) Extraordinary writs

Appellate jurisdiction in:

- (1) Appeals from interim orders and final judgment in district courts
- (2) Direct appeals from certain administrative agencies

COURT OF APPEALS

Chief Judge and two Associate Judges. Staggered terms of 6 years after non-partisan, at-large statewide election.

Jurisdiction limited to appeals from the district courts which are assigned by the Supreme Court.

DISTRICT COURTS

39 district judges presently authorized. Terms of 4 years after non-partisan election within the judicial district.

Original jurisdiction over civil and criminal cases including:

- (1) Personal injury & other civil claims
- (2) Contracts
- (3) Property Disputes
- (4) Felonies

Appellate jurisdiction:

- (1) Appeals from Magistrates Division
- (2) Appeals from state agencies and boards
- (3) Appeals from small claims departments

MAGISTRATE DIVISIONS

82 magistrate judges authorized. Terms: Initial 18 months upon appointment by district magistrates commission; subsequent four-year terms by county retention election.

Jurisdiction, generally;

- (1) Civil actions, i.e., personal injury, property disputes, contracts, etc., to \$10,000
- (2) Small claims
- (3) Traffic cases
- (4) Probate of decedent estates
- (5) Juvenile correction proceedings
- (6) Child protective proceedings
- (7) Misdemeanors
- (8) Arrest warrants; searches & seizures
- (9) Preliminary hearings for probable cause on felony complaints
- (10) Domestic relations

SMALL CLAIMS DEPARTMENTS

Magistrates sit for small claims.

Jurisdiction limited to civil actions up to \$3,000 over defendants within the county.

Attorneys not allowed in the trial of small claims actions.

No jury trials in small claims cases.

Indicates court to which appeals are taken